

JUN 15 2004

WOOD, HERRON &amp; EVANS, L.L.P.

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PATENT, TRADEMARK, COPYRIGHT  
AND UNFAIR COMPETITION LAW  
AND RELATED LITIGATION

EDMUND P. WOOD 1923-1988  
TRUMAN A. HERRON 1935-1976  
EDWARD B. EVANS 1936-1971

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June 15, 2004

## FACSIMILE COVER SHEET

To: Examiner Hussein A. El-chanti  
Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22213-1450

Fax: 703-872-9306

Enclosures:

Fax Cover Sheet containing Certificate of  
Facsimile Transmission (1 page)  
Transmittal containing Certificate of  
Facsimile Transmission (2 pages)  
Response (7 pages)

From: Scott A. Stinebruner  
Reg. No. 38,323

Re: U.S. Patent Application  
Serial No. 09/732,189  
Filed: December 7, 2000  
Applicant: Robert Miller  
Art Unit: 2157  
Confirmation No.: 1431  
Our Ref: IBM/151

Pages: 10 (including cover sheet)

MESSAGE/COMMENTS  
OFFICIAL

## CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence and the enclosures noted herein (10 total pages, including cover sheet) are being transmitted via facsimile transmission to Examiner Hussein A. El-chanti, Mail Stop AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22213-1450 at 703-872-9306 on June 15, 2004.

*Judith L. Volk*  
Judith L. Volk

*June 15, 2004*  
Date

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**PATENT**

Att'y Docket No. IBM/151/124

Confirmation No. 1431**CERTIFICATE OF FACSIMILE TRANSMISSION**

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Judith L. Volk  
Judith L. Volk

June 15, 2004  
Date

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Robert Miller                      Art Unit: 2157  
Serial No.: 09/732,189                      Examiner: Hussein A. El-chanti  
Filed : December 7, 2000  
For : PEER PROTOCOL STATUS QUERY IN CLUSTERED COMPUTER SYSTEM

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT TRANSMITTAL**

1. ☒ Transmitted herewith is a Resposne.
2. ☐ Small Entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.  
☐ Enclosed is a verified statement to establish Small Entity status  
☒ Other than a Small Entity
3. The fee has been calculated as shown below:

**CALCULATION OF FEES**

| Fee:                         | Number of Claims<br>After Amendment: |       | Previously Paid For: | No. Extra: | At Rate: | Amount: |
|------------------------------|--------------------------------------|-------|----------------------|------------|----------|---------|
| Total Claims                 | 26                                   | minus | 26                   | 0          | \$18     | \$0.00  |
| Independent Claims           | 5                                    | minus | 5                    | 0          | \$86     | \$0.00  |
| MULTIPLE DEPENDENT CLAIM FEE |                                      |       |                      |            | \$290    | \$0.00  |
| TOTAL FEE FOR CLAIMS:        |                                      |       |                      |            |          | \$0.00  |

- ☒ No additional fee for claims is required.

Page 1 of 2  
Serial No. 09/732,189  
Transmittal for Response of June 15, 2004  
IBM Docket: ROC920000125US1  
WH&E IBM/151

4. ☐ Attached is a check in the sum of \$\_\_\_\_\_ for additional claims.  
☐ Please charge my Deposit Account No. 23-3000 in the amount of \$\_\_\_\_\_.
5. **The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply. Complete (a) or (b) as applicable.**

- ☐ (a) Applicant petitions for an extension of time under 37 CFR 1.136 for the total number of months checked below:

|                          | <u>Ext. Mos.</u> | <u>Large entity</u> | <u>Small entity</u> |
|--------------------------|------------------|---------------------|---------------------|
| <input type="checkbox"/> | one month        | \$ 110.00           | \$ 55.00            |
| <input type="checkbox"/> | two months       | \$ 420.00           | \$ 210.00           |
| <input type="checkbox"/> | three months     | \$ 950.00           | \$ 475.00           |
| <input type="checkbox"/> | four months      | \$1,480.00          | \$ 740.00           |
| <input type="checkbox"/> | five months      | \$2,010.00          | \$1,005.00          |

Extension fee due with this request:

\$ \_\_\_\_\_

Method of Payment:

Check enclosed in the amount of \$ \_\_\_\_\_

If an additional extension of time is required, please consider this a petition therefor.

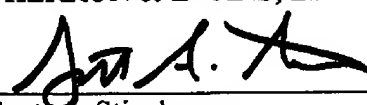
(Check and complete the next item, if applicable)

- ☐ An extension for \_\_\_\_\_ months has already been secured and the fee paid thereof of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested. Extension fee due with this request \$\_\_\_\_\_.
- OR**
- ☒ (b) **Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.**
6. ☒ **If any additional fee for claims or extension of time is required, charge Account No. 23-3000.**

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

By:

  
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